

REMARKS

In the Office action mailed May 6, 2003, the drawings were objected to and claims 1-8 were rejected under 35 U.S.C. § 102(b) based on Johnson et al., U.S. Patent No. 2,866,270, Thompson, U.S. Patent No. 1,995,658, and/or Reppell, U.S. Patent No. 1,660,578. Regarding the drawings, applicants submit in the Appendix herewith amended Figs. 1-4 labeled, "Prior Art."

Turning to the claims, applicants believe that the originally presented claims are patentable over the cited references, but nonetheless amend claims 1 and 7, and present new claims 9-11 to more particularly point out and distinctly claim the subject matter that applicants regard as the invention.

Turning now to the rejection of claim 1 under 35 U.S.C. § 102(b) based on Johnson et al., claim 1, as amended, recites:

"permitting both of said two pivotal axes to freely move in a direction along a diagonal line of the parallelogram up to the respective end of the reference ruler"

While the axis of the device of Johnson et al. formed by screws 24 and 26 may be moved along bisector 14, the axis formed by fixed pivot member 12 and retaining screw 13 is fixed and is not movable. This distinction is important because with the device shown in Johnson et al., one cannot measure an outer corner angle of an object of any size, especially an object having a large corner length. Rather, retaining screw 13 is not movable along the bisector 14, and thus the bisector 14 interferes with the object. In addition, one cannot place a side face of the bisector 14 against, for example, another

object to mark a reference line of a half angle of a measured corner angle due to interference of the sight member 15 with the object.

In contrast, claim 1, as amended, recites two pivotal axes respectively coupled to positions along the reference ruler, wherein each pivotal axis is movable up to the respective end of the reference ruler with the rounded ends of the first or second rulers concentric with the respective pivotal axis so that each can be accommodated within the respective rounded end of the reference ruler, one at a time. This permits both of the two pivotal axes to freely move in a direction along a diagonal line of the parallelogram, and enables devices built according to the claimed invention to determine outer corner angles of objects, even those having large corner lengths, without interference of the reference ruler with the object (See Fig. 9(a) and Fig. 12(a)), and also enables the invention of the present application to determine an internal corner angle. Accordingly, applicants believe that amended claim 1 is not anticipated by Johnson et al., and request that the rejection be withdrawn.

Turning now to the rejection of claim 1 based on Thompson under 35 U.S.C. § 102(b), Thompson discloses a device having a pair of blades B' and B^2 and links 26 and 27 of different length. It appears that if the device was used to measure an internal corner angle with blades B' and B^2 , the stock S would indicate a half angle of the measured angle, however, if the device was used to measure an external corner angle with links 26 and 27, the stock S would NOT indicate a half angle of the measured angle. Further, pin 13 and nut 16 of blades B' and B^2 on stock S cannot be located at the end of the stock S, because the end of stock S is protruding and squared off. Thus, one cannot measure an

internal corner angle with the device of Thompson. Moreover, although one may be able to measure an external angle with the blade B' and the link 26 or the blade B² and the link 27, such measurement is limited to a relatively small-sized object because the axis at pin 13 and nut 16 is not movable along the stock S and thus the stock S interferes with the object.

In contrast, as recited in amended claim 1, either of the claimed pivotal axes is movable up to the respective end of the reference ruler with the rounded ends of the first or second rulers concentric with the respective pivotal axis so that each can be accommodated within the respective rounded end of the reference ruler, one at a time. This feature, which is not disclosed or suggested by Thompson, permits each of the two pivotal axes to freely move in a direction along a diagonal line of the parallelogram, and enables devices made according to the claimed invention to determine outer corner angles of objects, even those having large corner lengths without interference of the reference ruler with the object (See Fig. 9(a) and Fig. 12(a)), and also enables devices made according to the claimed invention to determine an internal corner angle. Accordingly, applicants believe that claim 1 is not anticipated by Thompson, and request that the rejection be withdrawn.

Turning now to the rejection of claim 1 based on Reppell, Reppell appears to disclose that only pin 5 is movable. This means that the device shown in Reppell lacks a capability of measuring an external corner angle of a relatively large object. Moreover, arms 1 and 2 of Reppell are tapered in the width direction. Due to this taper, neither arm 1 and link 15, nor arm 2 and link 16 can be used to measure accurately an external corner

angle, for any sized object.

In contrast, claim 1 recites “linear edges on both sides in the width direction throughout the entire length parallel to each other,” “wherein the pivotally supported ends of the first rulers are cylindrically rounded so as to have the respective pivotal axis as a center thereof.” These features are not disclosed or suggested by Reppell. Accordingly, applicants believe that amended claim 1 is not anticipated by Reppell and requests that the rejection be withdrawn.

With regard to dependent claim 2, applicants further note that one can mark/draw a reference line of one-half angle of the measuring corner angle while locking the locking portions without changing the angle of measuring or reading the scale indicia on the reference ruler (Fig. 8(b) and Fig. 9(b), and Fig. 11(b) and Fig. 12(b)). This can be useful in the construction arts, since in construction areas, it may often be necessary to measure an angle and determine its half angle, and quick-marking of such one-half angle line as a reference for cutting a material would be highly desirable.

With regard to claim 11, the first and second rulers have stepped thickness so as not to interfere with each other (Page. 10, Line 25 - Page 11, Line 4, and Fig. 6). This is an advantage not simply for storage purposes, but also for making the overall surface of the first and second rulers flat on at least the connecting side with the reference ruler side, so that marking/drawing a reference line can be done at the same level in the thickness direction of the jig. This feature is a significant advantage that is not disclosed in any of the cited references.

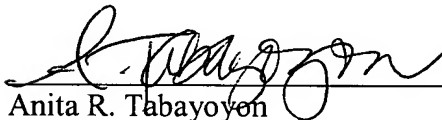
In view of the above remarks, applicant believes claim 1 and dependent

claims 2-8 to be allowable. Newly presented claims 9-11, which also depend from claim 1, are also believed allowable.

The above amendments and remarks are believed to address fully the Examiner's rejections, and place the application in condition for allowance. A prompt indication of the same respectfully is requested. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, Virginia 22313, on September 5, 2003.



Anita R. Tabayoyon

Date of Signature: September 5, 2003

Respectfully submitted,
KOLISCH HARTWELL, P.C.

Chm Tuttle, Reg. No. 41357 for Mark Alleman

Mark D. Alleman, Reg. No. 42,257

Customer No. 23581

Registration No. 42,257

of Attorneys for Applicant(s)

520 S.W. Yamhill Street, Suite 200

Portland, Oregon 97204

Telephone: (503) 224-6655

Facsimile: (503) 295-6679